

Union Calendar No. 493

110TH CONGRESS
2^D SESSION

H. R. 4255

[Report No. 110-774]

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide assistance to the Paralympic Program of the United States Olympic Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2007

Mr. FILNER introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY 24, 2008

Additional sponsors: Mr. BRADY of Pennsylvania, Mr. LANGEVIN, Mr. RUSH, Mr. HAYES, Mr. BOOZMAN, Ms. BALDWIN, Mr. MCNERNEY, Mr. UPTON, Mr. HALL of New York, Mr. CARSON, Mr. GRIJALVA, Mr. MCINTYRE, and Mr. BUYER

JULY 24, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on December 4, 2007]

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide assistance to the Paralympic Program of the United States Olympic Committee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “United States Olympic*
5 *Committee Paralympic Program Act of 2008”.*

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) *FINDINGS.*—*Congress makes the following findings:*

8 (1) *In 1998, Congress enacted the Olympic and*
9 *Amateur Sports Act Amendments of 1998 (33 U.S.C.*
10 *101 note), which amended chapter 2205 of title 36,*
11 *United States Code, and included a statement that*
12 *the purpose of the Act was “to encourage and provide*
13 *assistance to amateur athletic programs and competi-*
14 *tion for amateur athletes with disabilities, including,*
15 *where feasible, the expansion of opportunities for*
16 *meaningful participation by such amateur athletes in*
17 *programs of athletic competition for able-bodied ama-*
18 *teur athletes”.*

19 (2) *The United States Olympic Committee man-*
20 *ages and administers the Paralympic Program for*
21 *physically disabled athletes.*

22 (3) *In 2005, the United States Olympic Com-*
23 *mittee entered into a memorandum of understanding*
24 *with the Secretary of Veterans Affairs to expand the*
25 *Paralympic Program to provide special training and*

1 *rehabilitation to disabled veterans and disabled mem-*
2 *bers of the Armed Forces as part of their rehabilita-*
3 *tion and return to an active lifestyle.*

4 *(4) The Paralympic Program has a significant*
5 *positive effect on the quality of life of such veterans*
6 *and servicemembers, including helping to improve the*
7 *mobility, vitality, and physical, psychological, and*
8 *social well-being of disabled veterans and disabled*
9 *members of the Armed Forces who participate in the*
10 *program and reducing the incidence of secondary*
11 *medical conditions in those participants.*

12 *(5) Because of Operation Iraqi Freedom and Op-*
13 *eration Enduring Freedom, the number of disabled*
14 *veterans and disabled members of the Armed Forces*
15 *has increased substantially and it is therefore nec-*
16 *essary to expand the scope and size of the Paralympic*
17 *Program to provide rehabilitative services through*
18 *sports to disabled veterans and members of the Armed*
19 *Forces.*

20 *(b) PURPOSE.—The purposes of this Act are as follows:*

21 *(1) To promote the lifelong health of disabled vet-*
22 *erans and disabled members of the Armed Forces*
23 *through regular participation in physical activity*
24 *and sports.*

1 (2) *To develop a system that promotes disabled*
 2 *sports from the local level through elite levels by cre-*
 3 *ating partnerships among organizations specializing*
 4 *in supporting, training, and promoting programs for*
 5 *disabled athletes.*

6 (3) *To provide training and support to local or-*
 7 *ganizations to provide Paralympic sports training to*
 8 *disabled veterans and disabled members of the Armed*
 9 *Forces in their own communities.*

10 (4) *To provide support to the United States*
 11 *Olympic Committee for the Paralympic Program to*
 12 *increase the participation of disabled veterans and*
 13 *disabled members of the Armed Forces in sports as*
 14 *part of their rehabilitation.*

15 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PROVISION**
 16 **OF ASSISTANCE TO UNITED STATES OLYMPIC**
 17 **COMMITTEE PARALYMPIC PROGRAM.**

18 (a) *PROVISION OF ASSISTANCE AUTHORIZED.*—Sub-
 19 *chapter II of chapter 5 of title 38, United States Code, is*
 20 *amended by inserting after section 521 the following:*

21 **“§ 521A. Assistance for United States Olympic Com-**
 22 **mittees Paralympic Program**

23 “(a) *AUTHORIZATION TO PROVIDE ASSISTANCE.*—The
 24 *Secretary may make grants to the United States Olympic*
 25 *Committee to plan, develop, manage, and implement the*

1 *Paralympic Program for disabled veterans and disabled*
2 *members of the Armed Forces.*

3 “(b) *OVERSIGHT BY SECRETARY.*—*As a condition of*
4 *receiving a grant under this section, the United States*
5 *Olympic Committee shall permit the Secretary to conduct*
6 *such oversight of the use of grant funds as the Secretary*
7 *determines is appropriate.*

8 “(c) *APPLICATION REQUIREMENT.*—(1) *Before the Sec-*
9 *retary may make a grant to the United States Olympic*
10 *Committee under this section, the Committee shall submit*
11 *to the Secretary an application that describes the activities*
12 *to be carried out with the grant, including information on*
13 *specific measurable goals and objectives to be achieved using*
14 *grant funds. The application shall include a detailed de-*
15 *scription of all partnerships referred to in paragraph (2)*
16 *at the national and local levels that will be participating*
17 *in such activities and the amount of grant funds that will*
18 *be made available for each of such partnerships.*

19 “(2) *PARTNERSHIPS.*—*Partnerships referred to in this*
20 *paragraph are agreements between the United States Olym-*
21 *pic Committee and national organizations with significant*
22 *experience in the training and support of disabled athletes*
23 *and the promotion of disabled sports at the local and na-*
24 *tional levels. Such organizations include Disabled Sports*
25 *USA, Blaze Sports, Paralyzed Veterans of America, and*

1 *Disabled American Veterans. The agreements shall detail*
2 *the scope of activities and funding provided by the United*
3 *States Olympic Committee to the partner.*

4 “(d) *USE OF FUNDS.—(1) The United States Olympic*
5 *Committee, with the assistance and cooperation of the Sec-*
6 *retary and the heads of other appropriate Federal and State*
7 *departments and agencies and partnerships referred to in*
8 *subsection (c)(2), shall use a grant under this section to re-*
9 *cruit, support, encourage, schedule, facilitate, supervise,*
10 *and implement the activities described in paragraph (3) for*
11 *disabled veterans and disabled members of the Armed Forces*
12 *either directly or by supporting a program described in*
13 *paragraph (2).*

14 “(2) *A program described in this paragraph is a sport*
15 *program that—*

16 “(A) *promotes basic physical activity, games,*
17 *recreation, training, and competition;*

18 “(B) *is approved by the Secretary; and*

19 “(C)(i) *provides services and activities described*
20 *in paragraph (3) for disabled veterans and disabled*
21 *members of the Armed Forces; and*

22 “(ii) *may also provide services and activities de-*
23 *scribed in paragraph (3) for individuals with disabil-*
24 *ities who are not veterans or members of the Armed*
25 *Forces, or both; except that funds made available to*

1 *carry out this section may not be used to support*
2 *those individuals with disabilities who are not vet-*
3 *erans or members of the Armed Forces.*

4 “(3) *Activities described in this paragraph are—*

5 “(A) *instruction, participation, and competition*
6 *in Paralympic sports;*

7 “(B) *training and technical assistance to pro-*
8 *gram administrators, coaches, recreational therapists,*
9 *instructors, Department employees, and other appro-*
10 *priate individuals; and*

11 “(C) *coordination, Paralympic classification of*
12 *athletes, athlete assessment, sport-specific training*
13 *techniques, program development (including programs*
14 *at the local level), program-specific medical and per-*
15 *sonal care support, sports equipment, supplies, pro-*
16 *gram evaluation, and other activities related to the*
17 *implementation and operation of the program.*

18 “(4) *A grant made under this section may include, at*
19 *the discretion of the Secretary, an amount for administra-*
20 *tive expenses, but not to exceed ten percent of the amount*
21 *of the grant.*

22 “(5) *Funds made available by the United States Olym-*
23 *pic Committee to a grantee under subsection (c) may in-*
24 *clude an amount for administrative expenses, but not to*
25 *exceed ten percent of the amount of such funds.*

1 “(e) *OUTREACH REQUIREMENT.*—*The Secretary shall*
2 *conduct an outreach campaign to inform all eligible vet-*
3 *erans and separating members of the Armed Forces with*
4 *physical disabilities about the existence of the Paralympic*
5 *Program and shall provide for, facilitate, and encourage*
6 *participation of such veterans and separating*
7 *servicemembers in programs under this section to the extent*
8 *possible.*

9 “(f) *COORDINATION.*—*The Secretary shall ensure ac-*
10 *cess to and use of appropriate Department facilities by dis-*
11 *abled veterans and disabled members of the Armed Forces*
12 *participating in the Paralympic Program to the maximum*
13 *extent possible and to the extent that such access and use*
14 *does not adversely affect any other assistance provided to*
15 *veterans.*

16 “(g) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
17 *authorized to be appropriated \$8,000,000 annually to carry*
18 *out this section.*

19 “(h) *SEPARATE ACCOUNTING.*—*The Department shall*
20 *have a separate line item in budget proposals of the Depart-*
21 *ment for funds to be appropriated to carry out this section.*
22 *Funds appropriated to carry out this section shall not be*
23 *commingled with any other funds appropriated to the De-*
24 *partment.*

1 “(i) *LIMITATION ON USE OF FUNDS.—Except as pro-*
 2 *vided in subsections (d)(4) and (d)(5), funds appropriated*
 3 *to carry out this section may not be used to support or*
 4 *provide services to individuals who are not disabled vet-*
 5 *erans or disabled members of the Armed Forces.”.*

6 (b) *CLERICAL AMENDMENT.—The table of sections at*
 7 *the beginning of such chapter is amended by inserting after*
 8 *the item relating to section 521 the following new item:*

“521A. Assistance for United States Olympic Committees Paralympic Program.”.

9 (c) *DEADLINE FOR MEMORANDUM OF UNDER-*
 10 *STANDING.—The Secretary of Veterans Affairs may not*
 11 *award a grant under section 521A of title 38, United States*
 12 *Code, as added by subsection (a), until the United States*
 13 *Olympic Committee has entered into a memorandum of un-*
 14 *derstanding or cooperative agreement with the Secretary re-*
 15 *garding implementation of the Paralympic Program. Such*
 16 *agreement shall be concluded not later than 180 days after*
 17 *the date of the enactment of this Act.*

18 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS OFFICE OF**
 19 **NATIONAL VETERANS SPORTS PROGRAMS**
 20 **AND SPECIAL EVENTS.**

21 (a) *ESTABLISHMENT OF OFFICE OF NATIONAL VET-*
 22 *ERANS SPORTS PROGRAMS AND SPECIAL EVENTS.—Chap-*
 23 *ter 3 of title 38, United States Code, is amended by adding*
 24 *at the end the following:*

1 **“§ 321. Office of National Veterans Sports Programs**
2 **and Special Events**

3 “(a) *ESTABLISHMENT.*—*There is in the Department*
4 *an Office of National Veterans Sports Programs and Spe-*
5 *cial Events. There is at the head of the Office a Director,*
6 *who shall report directly to the Assistant Secretary for Pub-*
7 *lic and Intergovernmental Affairs of the Department.*

8 “(b) *RESPONSIBILITIES OF DIRECTOR.*—*Subject to the*
9 *direction of the Secretary, the Director—*

10 “(1) *shall establish and carry out qualifying pro-*
11 *grams and events;*

12 “(2) *may provide for sponsorship by the Depart-*
13 *ment of qualifying programs and events;*

14 “(3) *may provide for, facilitate, and encourage*
15 *participation by disabled veterans in qualifying pro-*
16 *grams and events; and*

17 “(4) *shall cooperate with the United States*
18 *Olympic Committee and its subsidiaries to promote*
19 *the participation of disabled veterans and disabled*
20 *members of the Armed Forces in sporting events spon-*
21 *sored by the United States Olympic Committee and*
22 *its subsidiaries.*

23 “(c) *QUALIFYING PROGRAM OR EVENT.*—*For purposes*
24 *of this section, a qualifying program or event is a sports*
25 *program or other event in which disabled veterans and dis-*
26 *abled members of the Armed Forces participate and that*

1 *is approved by the Secretary as being consistent with the*
2 *goals and missions of the Department.*

3 “(d) *MONTHLY ASSISTANCE ALLOWANCE.—(1) The*
4 *Director may provide a monthly assistance allowance to a*
5 *veteran with a disability invited by the United States*
6 *Olympic Committee to compete for a slot on, or selected for,*
7 *the Paralympic Team for any month in which the veteran*
8 *is training or competing in any event sanctioned by the*
9 *United States Olympic Committee or who is residing at a*
10 *United States Olympic Committee training center.*

11 “(2) *The amount of the monthly assistance payable to*
12 *a veteran under paragraph (1) shall be equal to the monthly*
13 *amount of subsistence allowance that would be payable to*
14 *the veteran under chapter 31 of this title if the veteran were*
15 *eligible for and entitled to rehabilitation under such chap-*
16 *ter.*

17 “(3) *Any amount of assistance paid to a veteran under*
18 *this subsection shall be in addition to any other assistance*
19 *available to the veteran under any other provision of law.*

20 “(4) *There is authorized to be appropriated to carry*
21 *out this subsection \$2,000,000 for fiscal year 2009 and each*
22 *fiscal year thereafter.*

23 “(e) *LIMITATION ON STATUTORY CONSTRUCTION.—*
24 *Nothing in this section shall be construed as a limitation*

1 *on current disabled sports and special events supported by*
2 *the Department.”.*

3 (b) *CLERICAL AMENDMENT.—The table of sections at*
4 *the beginning of such chapter is amended by adding at the*
5 *end the following new item:*

“321. Office of National Veterans Sports Programs and Special Events.”.

6 (c) *RESPONSIBILITIES OF UNDER SECRETARY FOR*
7 *HEALTH.—The Secretary of Veterans Affairs shall direct*
8 *the Under Secretary for Health of the Department of Vet-*
9 *erans Affairs—*

10 (1) *to make available, to the maximum extent*
11 *possible, recreational therapists, physical therapists,*
12 *and other medical staff to facilitate participation of*
13 *veterans in sporting events conducted under the aus-*
14 *pices of the United States Olympic Committee;*

15 (2) *to allow such personnel to participate in the*
16 *United States Olympic Committee Paralympic Pro-*
17 *gram without requiring the use of personal leave; and*

18 (3) *to support other similar activities or events*
19 *as those described in this section and determined to*
20 *be appropriate by the Secretary.*

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